

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven A. Bogen and Herbert H. Loeffler

Continuation-in-Part Application of

Application No.: 09/702,298

Filed: October 31, 2000

For: SLIDE STAINER WITH HEATING

Date: 4-12-04

EXPRESS MAIL LABEL NO. EV214952302US

PETITION TO MAKE SPECIAL

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.102(d), Applicant petitions to make the captioned application special in order to expedite processing of the application.

This petition is made because of actual infringement and is supported by the following statement of the undersigned:

- A. There is an infringing product actually on the market.
- B. I have made a rigid comparison of the infringing product with the claims of the application and, in my opinion, some of the claims are unquestionably infringed.
- C. I have a good knowledge of the pertinent prior art and have additionally caused to be made a careful and thorough search of the prior art.

One copy of each of the references deemed most closely related to the subject matter encompassed by the claims has been made of record in a parent application or is attached.

The fee of \$130.00 under 37 C.F.R. 1.117(h) is attached.


Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

04/15/2004 EHAILE1 00000082 10823368

02 FC:1460

130.00 0P

Respectfully submitted,  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
James M. Smith  
Registration No. 28,043  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 4/12/04